

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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TADESSE SHIFERAW,  
Plaintiffs,  
-against-  
SOHAIL AHMAD, and ARSLAN RIAZ,  
Defendant.

1:24-cv-02890-MKV

**ORDER VACATING  
CERTIFICATE OF  
DEFAULT**

MARY KAY VYSKOCIL, United States District Judge:

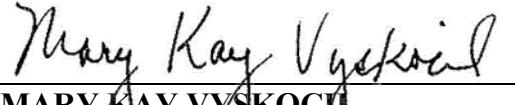
Plaintiffs initiated this action by filing a complaint on April 30, 2024. [ECF No. 6]. On May 23, 2024, Plaintiff filed an Amended Complaint. [ECF No. 10]. The Amended Summons and Complaint were served on Defendant, Arslan Riaz, on July 15, 2024. [ECF No. 16]. On or about August 9, 2024, Plaintiff moved for default judgment against Mr. Riaz. [ECF No. 25]. On August 7, 2024, the Clerk of Court entered a Certificate of Default against Mr. Riaz. [ECF No. 22]. On September 4, 2024, both Defendants, Sohail Ahmad and Arslan Riaz, filed an answer to the Amended Complaint. [ECF No. 28]. On October 4, 2024, Defendants moved to set aside entry of default [ECF No. 29], and on October 17, 2024, Plaintiff moved to withdraw his motion for default judgment, [ECF No. 30].

In light of the Second Circuit's strong preference for resolving disputes on the merits, *see Currin v. Williams*, 428 F. App'x 21 (2d Cir. 2011), the Clerk of Court's Certificate of Default is

**HEREBY SET ASIDE.**

**SO ORDERED.**

Date: October 21, 2024  
New York, NY

  
MARY KAY VYSKOCIL  
United States District Judge